



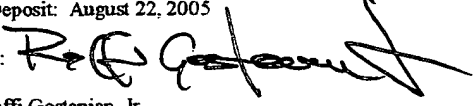
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John L. Tomich, et al.
Serial No.: 10/785,474
Filed: 2/24/2004
Title: **WIDE SIGNAL BANDWIDTH MULTI-ACCESS CHANNEL**

Art Unit: 2633

Examiner: Kim, David S.

ATTN: Office of Initial Patent
Examination's Filing Receipt Corrections
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

<p align="center">CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the US Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA on the date shown below.</p> <p>Date of Deposit: August 22, 2005</p> <p>Signature: </p> <p>Name: Raffi Gostanian, Jr.</p>

**OFFICE OF INITIAL PATENT EXAMINATION – FILING RECEIPT
CORRECTION**

Dear Sir:

The above referenced patent application (10/785,474) claimed priority to U.S. Application No. 09/435,657, filed on November 8, 1999, entitled "Photonic Home Area Network." However, Applicants believe the 09/435,657 patent application incorrectly received a priority filing date of November 8, 1999. The attached documentation, described in greater detail below, will provide a clear basis for an earlier priority filing date of February 29, 1996. As such, Applicants believe the above referenced patent application (10/785,474) should have a priority date of February 29, 1996.

A. Front Page of the 09/435,657 Patent Application

The first paragraph states, "This is a continuation-in-part of U.S. Nonprovisional Application serial no. 08/607,964, entitled Photonic Home Area Network, filed February 29, 1996, to John Tomich, et al., which is incorporated by reference for all purposes."

It is clear that the 09/435,657 patent is a CIP of the parent patent (08/607,964, now 5,983,068) which was filed February 29, 1996. As such, the 09/435,657 patent application should have been accorded the benefit of the earliest filing date which is February 29, 1996. Further, since the above referenced patent application (10/785,474) is a divisional of patent 09/435,657, which is a CIP of 08/607,964 (now 5,983,068), Applicants believe the above referenced patent application (10/785,474) should be accorded the benefit of the February 29, 1996 filing date.

B. Official Filing Receipt For Above Referenced Patent Application (10/785,474)

As can be seen from the Official Filing Receipt mailed on 05/17/2004, the above referenced patent application (10/785,474) is listed as a DIV of 09/435,657.

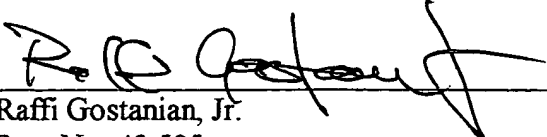
C. Declaration of the 09/435,657 Patent Application

On page 2 of the Declaration of the 09/435,657 patent application, the benefit of the parent patent (08/607,964, now 5,983,068) is claimed. As such, the 09/435,657 patent application should have been accorded the benefit of the February 29, 1996 filing date. Further, since the above referenced patent application (10/785,474) is a divisional of patent 09/435,657, which is a CIP of 08/607,964 (now 5,983,068), Applicants believe the above referenced patent application (10/785,474) should be accorded the benefit of the February 29, 1996 filing date.

Conclusions

Based on the rationale presented above, Applicants believe the above referenced patent application (10/785,474) should be accorded the benefit of the February 29, 1996 filing date and respectfully request the filing receipt be corrected to reflect this date.

Respectfully Submitted,



Raffi Gostanian, Jr.
Reg. No. 42,595

Date: 8/22/05

RG&Associates
1103 Twin Creeks
Allen, TX 75013
972.849.1310



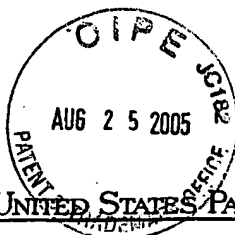
PHOTONIC HOME AREA NETWORK

Related Applications

This is a continuation-in-part of U.S. Nonprovisional Application serial no.
5 08/607,964, entitled Photonic Home Area Network, filed February 29, 1996, to John L.
Tomich, et al., which is incorporated herein by reference for all purposes.

Technical Field

The present invention relates to a device for bi-directional routing of data for a
plurality of dissimilar electronic devices, and in particular, to data routing for a plurality of
10 dissimilar electronic devices from a common data path.



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/785,474	02/24/2004	2633	385	108513.00016	10	17	1

CONFIRMATION NO. 8551

Raffi J. Gostanian, Jr.
 Jackson Walker L.L.P.
 Suite 600
 2435 North Central Expressway
 Richardson, TX 75080

FILING RECEIPT



OC000000012680377

Date Mailed: 05/17/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

John L. Tomich, Coppell, TX;
 Michael J. Vonahnen, Dallas, TX;
 Michael B. Sheehan, Prosper, TX;

Assignment For Published Patent Application

Throughput Holdings, Inc.;

Domestic Priority data as claimed by applicant

This application is a DIV of 09/435,657 11/08/1999

Foreign Applications

If Required, Foreign Filing License Granted: 05/15/2004

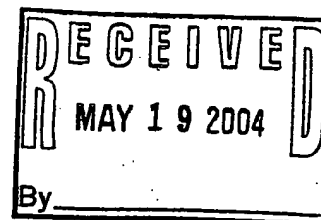
Projected Publication Date: 08/26/2004

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

DOCKETED
 mydep 5/19/04



Title

Wide-signal bandwidth multi-access channel

Preliminary Class

398

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

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ATTORNEY DOCKET NO.
19447-P001 CP



PATENT
APPLICATION NO. 09/435,657

**DECLARATION AND POWER OF ATTORNEY FOR
PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

PHOTONIC HOME AREA NETWORK

the specification of which (check one)

- ☐ is attached hereto.
- ☒ was filed on November 8, 1999
as Application Serial No. 09/435,657
and was amended on _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

ATTORNEY DOCKET NO.
19447-P001CP

PATENT
APPLICATION NO. 09/435,657

Prior Foreign Application(s):

Priority Claimed

(Number) (Country) (Day/Month/Year) ☐ Yes ☐ No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information material to the patentability of this application as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial #) (Filing Date) (Status)

08/607,964 02/29/96 PENDING

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

James J. Murphy, Reg. No. 34,503; Bill R. Naifeh, Reg. No. 44,962; Barry S. Newberger, Reg. No. 41,527; Henry L. Ehrlich, Reg. No. 39,663; Dwayne Mason, Reg. No. 38,959; Charles J. Rogers, Reg. No. 38,286; Robert C. Shaddock; Peter R. Lando, Reg. No. P45,513; Ross S. Garsson, Reg. No. 38,150; and Kelly Kordzik, Reg. No. 38,620.

Send correspondence to: James J. Murphy, 5400 Renaissance Tower, 1201 Elm Street, Dallas, Texas 75270-2199, and direct all telephone calls to at (214) 745-5374.

ATTORNEY DOCKET NO.
19447-P001CP

PATENT
APPLICATION NO. 09/435,657

FULL NAME OF SOLE OR FIRST INVENTOR: **JOHN L. TOMICH**

INVENTOR'S SIGNATURE: *John L. Tomich*

DATE: 1/20/2000

RESIDENCE: **614 Meadow View Lane
Coppell, Texas 75019**

CITIZENSHIP: **U.S.A.**

POST OFFICE ADDRESS: **(Same as Residence)**

FULL NAME OF SECOND INVENTOR: **MICHAEL J. VONAHNEN**

INVENTOR'S SIGNATURE: *Michael J. VonAhnen*

DATE: 1/22/2000

RESIDENCE: **6724 Golddust Trail
Dallas, Texas 75252**

CITIZENSHIP: **U.S.A.**

POST OFFICE ADDRESS: **(Same as Residence)**

FULL NAME OF THIRD INVENTOR: **MICHAEL B. SCHEEHAN**

INVENTOR'S SIGNATURE: *M. Scheehan*

DATE: 1/22/00

RESIDENCE: **24A Rhea Mills Circle
Prosper, Texas 75078**

CITIZENSHIP: **U.S.A.**

POST OFFICE ADDRESS: **(Same as Residence)**

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